

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**DAVID WILLIAM HILL,**

**Defendant.**

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**Case No. 21MJ88 SMV**

**WAIVER OF PRELIMINARY HEARING**  
**AND REQUEST FOR TOLLING OF GRAND JURY PRESENTMENT**

1. I am the defendant in this criminal proceeding.

2. I understand that I am entitled to a preliminary hearing, but I agree to waive my right to that hearing and I also agree to waive my right to have my case presented to a grand jury within thirty (30) days of my arrest pursuant to 18 U.S.C. § 3161(b) in exchange for the following:

☒ Pre-indictment discovery

☒ Pre-indictment plea negotiations

☐ \_\_\_\_\_

☐ \_\_\_\_\_

3. I understand that I have the right to have my case presented to a grand jury within thirty (30) days of my arrest pursuant to 18 U.S.C. § 3161(b).

4. I hereby request a tolling of grand jury presentment pursuant to 18 U.S.C. § 3161(h) (7)(A) for an additional period not to exceed 75 days from the date of my arrest for a total of 105 days. By that I mean there be a 75-day period of excludable time for the purposes of determining compliance with the speedy indictment provision of 18 U.S.C. § 3161(b). I further

request that an Order be entered providing that this time period shall be tolled and excluded from the speedy indictment time computation pursuant to 18 U.S.C. § 3161(h)(7)(A).

5. If I cannot reach an agreement with the United States Attorney's Office, I understand that my case will be presented to a grand jury at a later date, consistent with this waiver.

*Daniel Rubin*

Daniel Rubin signing on behalf of and with permission of David William Hill

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David William Hill  
Defendant

I have reviewed the foregoing document in (English/Spanish) with my client and represent to the Court that he/she understands it. I further represent to the Court that I believe it is in my client's best interest to agree to the contents of this document.

*Daniel Rubin*

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Daniel N Rubin  
Attorney for Defendant

Date: January 26, 2021